

REMARKS

This application pertains to a novel two-layer pressure-sensitive adhesive, a process for preparing it and pressure-sensitive adhesive tape comprising the novel adhesive two-layer pressure-sensitive adhesive.

Claims 1-13 are pending, although claims 4 and 5 have been withdrawn from consideration as drawn to a non-elected invention, so that the claims being examined are claims 1-3 and 6-13. Applicants respectfully request that upon allowance of claims drawn to the elected subject-matter, the claims drawn to the non-elected subject-matter be rejoined.

Claim 6 stands rejected under 35 U.S.C. 112, second paragraph, due to an obvious clerical error wherein the chemical structural formula depicts the second carbon atom as having five bonds. Obviously the second carbon atom can have only four bonds, and the Examiner correctly assumes that there is no hydrogen directly attached to the second carbon.

Claim 6, as well as claim 5 and pages 4 and 8 of the specification have now been amended to correct the structural formula accordingly. In view of this amendment, the rejection of claim 6 under 35 U.S.C. 112, second paragraph, should now be withdrawn.

Claims 1-3 and 6-13 stand rejected under 35 U.S.C. 102(b) as anticipated by Schumann European Patent Office 1,308,492, taking Husemann U.S. 6,958,186 as a corresponding English-language counterpart.

The Husemann reference discloses a three-layer pressure-sensitive adhesive tape, having a single layer of a pressure-sensitive adhesive (A) bonded to one side of a carrier layer (B), and a second single layer pressure-sensitive adhesive (C) bonded to the second side of carrier layer (B). Husemann accordingly discloses two individual single-layer pressure-sensitive adhesives.

Applicants' claims have been amended to more clearly recite a two-layer pressure-sensitive adhesive, having a first pressure-sensitive adhesive layer joined to a second pressure-sensitive adhesive layer.

This is completely different than anything that can be learned from the Husemann reference, wherein the individual pressure-sensitive layers are each joined to separate sides of a carrier layer, and not to each other as they are in Applicants' invention.

Nothing in Husemann even suggests the concept of two pressure-sensitive adhesive layers joined to each other, as opposed to each being joined to a separate side of a carrier layer.

Applicants' claims are directed to a two-layer pressure-sensitive adhesive.

The Husemann reference is directed to a three-layer pressure-sensitive adhesive tape, comprising two single layers of pressure-sensitive adhesive, each of which is attached to a separate side of a carrier layer.

Applicants' claims cannot therefore be seen as anticipated by the Schumann/Husemann reference, and the rejection of Applicants' claims under 35 U.S.C. 102(b) as anticipated by Schumann European Patent Office 1,308, 492, taking Husemann U.S. 6,958,186 as a corresponding English-language counterpart should now be withdrawn.

In view of the present amendments and remarks it is believed that claims 1-13 are now in condition for allowance. Reconsideration of said claims by the Examiner is respectfully requested and the allowance thereof is courteously solicited.

CONDITIONAL PETITION FOR EXTENSION OF TIME

If any extension of time for this response is required, Applicants request that this be considered a petition therefor. Please charge the required petition fee to Deposit Account No. 14-1263.

ADDITIONAL FEE

Please charge any insufficiency of fee or credit any excess to Deposit
Account No. 14-1263.

Respectfully submitted,
NORRIS, McLAUGHLIN & MARCUS, PA

By /William C. Gerstenzang/
William C. Gerstenzang
Reg. No. 27,552

WCG/tmh

875 Third Avenue - 18th Floor
New York, New York 10022
(212) 808-0700